

REMARKS/ARGUMENTS

The Office Action rejected the pending claims 9, 27 and 35 under 35 USC §103. As shown above these pending claims have been amended in response to the rejection. However, it should be noted that this amendment is done in order to expedite prosecution of the present application, and is done without prejudice to pursuing the same, or similar claims in potential continuation cases.

Indeed, it is respectfully submitted that the references cited in the Office Action in connection with rejecting the pending claims appear to be from a somewhat disparate collection of references, and each of these references is significantly different than the methods recited in the previously pending version of claims 9, 27 and 35. For example, the US patent 5,057,184 (Gupta) appears to teach a system which is used to etch magnetic heads for use in a disk drive. As shown in Fig. 1 of Gupta, the material being etched is actually positioned in a liquid solution 12 and from the discussion in the Gupta it appears that the laser etching is primarily an etching of Al_2O_3 -TiC ceramic or a ferrite substrate. See e.g., Gupta 3:34-36.

In contrast with Gupta, the US patent no. 5,766,497 (Mitwalsky) discusses ablation etching of dielectric layers while not etching underlying layers of conductive material. It is respectfully submitted that teaching of Mitwalsky appears to be focused on etching dielectric layers to make electrical connections through the dielectric layer. See e.g. Mitwalsky 1:10-23. It is respectfully submitted that there Mitwalsky does not appear to suggest that there should be a camera which is used to observe the area which is etched. Indeed, to the contrary Mitwalsky appears to be focused on using a relatively simple approach of detecting when the etching of the dielectric has been completed and when an underlying metal layer has been reached. See e.g., Mitwalsky at 4:1-16. It is respectfully submitted that these operations are very dissimilar to using etching, and camera in conjunction with failure analysis in a semiconductor device. Further, it is submitted that the teaching of Gupta would not appear to suggest that one should combine a camera with the etching of a semiconductor device, as was recited in the claims.

It is also acknowledged that the Office Action recognizes that the Mitwalsky reference does not disclose using an F_2 laser for etching. However, the Office Action goes onto refer to the Kakehata as showing that it is well known in the art to use an F_2 laser for photoablation. It is respectfully submitted that a review of the passage of Kakehata which the office action appears to be referring to actually appears to suggest that the F_2 laser holds promising potential for

emerging applications which could include photoablation. However, it appears that the discussion of Kakehata referred to in the Office Action suggests that further study of such lasers would be beneficial. See e.g., Kakehata, page 1. It is respectfully submitted that there does not appear to be any teaching in Kakehata which would suggest combining Kakehata, Gupta and Mitwalsky to arrive at the previously pending version of the claims.

In addition to the above observations regarding the references cited in the Office Action, as shown above the pending claims have been further amended to include another element. The claims as amended herein provide a method which uses a beam which has a component at around 157 nm and another component at 718 nm, and these different components of the beam are used to provide for different treatments to the device on which the beam is directed. It is respectfully submitted that none of the references appear to disclose the additional elements which are now recited, with some variation, in each of the pending claims.

Further it is noted that support for the amendments to the claims can be found in the pending application at a number of locations, including in previously pending dependent claims, and in the specification at, for example, page 2, lines 25-27; page 9, line 20 to page 10, line 14. In light of the above it is respectfully submitted that pending claims are patentably distinguished over the references.



CONCLUSION

For the reasons set forth above, it is believed that all claims now present in this application are patentably distinguishable over the references. Therefore, reconsideration is requested, and it is requested that this application be passed to allowance.

Respectfully submitted,

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